

REMARKS

Claims 1-31, 33-36 and 38-44 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, "The Public Health Response To Biological and Chemical Terrorism, Interim Planning Guidance for State Public Health Officials, July 2001 (the "Public Health Response reference").

The claimed invention is not anticipated. The Public Health Response reference does not disclose a method or system for detecting an event as claimed. The Public Health Response reference generally discloses preparing for and responding to a public health event.

The Public Health Response reference discloses employing post-event surveillance to track exposed individuals for long-term physiologic difficulties, chronic illnesses, cancers, etc. by establishing a registry or database that includes the name and symptoms that occurred at the time of onset and the treatment received. This information is not employed to detect an event as claimed, but is used to monitor patients after a chemical event has already been detected (page 57).

The Examiner states that the Public Health Response reference inherently discloses the step of comparing the occurrences of at least one health symptom to a trigger value and activating an alert when the occurrences of the at least one health symptom exceeds a trigger value (Chapter 5). Applicant respectfully disagrees. Chapter 5 (pages 27 to 30) only generally discloses that the plan should specify events that trigger activation of a state emergency plan, but "specific scenarios are not needed" (page 29). That is, Chapter 5 generally relates to managing a public health event, but does not specify how the event is detected or the claimed method or system for detection.

The Examiner also refers to page 72. This page relates to planning the reaction to an event and not to detecting the event itself. The health symptoms referred to in this section are based on planning and investigation, not on actual detected or evaluated health symptoms.

The Commissioner is authorized to charge \$110.00 to Deposit Account No. 50-1482 in the name of Carlson, Gaskey & Olds, P.C. for two additional dependent claims (\$50.00) and a one-month extension of time (\$60.00). If any additional fees are due, however, the Commissioner is authorized to charge Deposit Account No. 50-1482 in the name of Carlson, Gaskey & Olds, P.C., for any additional fees or credit the account for any overpayment. Therefore, favorable reconsideration and allowance of this application is respectfully requested.

Respectfully Submitted,

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